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PTO/SB/64 (10-05)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT
ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

Docket Number (Optional)

AUS920011018US1

First named inventor: **Jeffrey David Calusinski**

Application No.: **10/076,336**

Art Unit: **2194**

Filed: **02/14/2002**

Examiner: **Diem K. Cao**

Title: **Method and System to Reinitialize Objects
Without Losing a Reference Connection**

Attention: Office of Petitions
Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
FAX (571) 273-8300

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (571) 272-3282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the office notice or action plus an extensions of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee - required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. Petition fee

☐ Small entity-fee \$ _____ (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.

☒ Other than small entity - fee \$ **1500.00** (37 CFR 1.17(m))

2. Reply and/or fee

A. The reply and/or fee to the above-noted Office action in the form of **Submission of corrected drawings** (identify type of reply):

- ☐ has been filed previously on _____.
- ☒ is enclosed herewith.

B. The issue fee and publication fee (if applicable) of \$ _____.

- ☐ has been paid previously on _____.
- ☐ is enclosed herewith.

[Page 1 of 2]

This collection of information is required by 37 CFR 1.137(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

07/24/2006 JBALINAN 00000019 10076336

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Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

3. Terminal disclaimer with disclaimer fee

☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.

☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D)).]

WARNING:

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.

Darcell Walker

Signature

July 20, 2006

Date

Darcell Walker

Typed or printed name

34945

Registration Number, if applicable

9301 Southwest Freeway

Address

713-772-1255

Telephone Number

Suite 250

Address

Enclosures: ☒ Fee Payment

☒ Reply

☐ Terminal Disclaimer Form

☒ Additional sheets containing statements establishing unintentional delay

☐ Other: _____

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

☐ Deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.

☐ Transmitted by facsimile on the date shown below to the United States Patent and Trademark Office as (571) 273-8300.

Date

Signature

Typed or printed name of person signing certificate

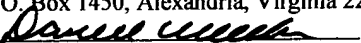


IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No.: 10/076,336
Applicant: Jeffrey David Calusinski
Filed: February 14, 2002
TC/A.U. 2194
Examiner: Diem K. Cao
Docket No.: AUS920011018US1
Customer No.: 46129
Title: METHOD AND SYSTEM TO REINITIALIZE OBJECTS
WITHOUT LOSING A REFERENCE CONNECTION

Confirmation No.: 19844

Honorable Commissioner
Patents and Trademarks
P. O. Box 1450
Alexandria, VA 22313-1450

Express Mail® Mailing Label
Number EQ 905594623 US
Date of Deposit: July 20, 2006
I hereby certify that this paper or fee is being deposited
with the United States Postal Services "Express Mail
Post Office to Addressee" service under 37 CFR 1.10
on the date indicated above and is addressed to the
Commissioner of Patents and Trademarks,
P. O. Box 1450, Alexandria, Virginia 22313-1450

Darcell Walker, Reg. No. 34945

STATEMENT OF UNINTENTIONAL ABANDONMENT

Dear Sir:

This statement is to explain the delays, which has caused this application to be abandoned. The application was abandoned for failure to file corrected drawings. I, the attorney of record, had formal drawings prepared in this case. I sent the drawings to the client. In our arrangement, I prepare the applications and send them to the client for filing. In this case, I sent the formal drawings to the client for them to file. In addition, during the prosecution of this application an examiner's amendment was entered to make the application allowable. However, I did not initially receive the Notice of Allowance from the examiner. Only after I contacted the examiner, about a month after the Notice of Allowance was sent, did the examiner fax to me a copy of the Notice of Allowance. Because of the shorten period to respond, I immediately forwarded the information to the client for them to pay the issue fee. I failed to notice the requirement to amend the drawings. The corrected drawings are enclosed with this petition.

Respectfully submitted,



Darcell Walker
Reg. No.: 34,945